

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

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JOHN J. BYRNES, JR.,

Plaintiff,

**NOTICE OF  
APPEARANCE**

Index No.: 08 CV 0086

- against -

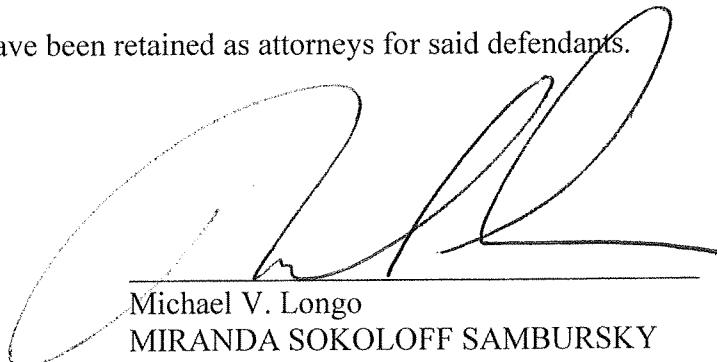
STEVEN BRESCIA, Mayor of the Village of Montgomery, and LINDA CANTIELLO, ROBERT "RABBIT" KIERNAN, DARLENE ANDOLSEK, and JOANN SCHEELS, Constituting the Trustees of the Village Board of the Village of Montgomery, Lt. JERRY LOMANGINO of the Village of Montgomery Police Department, and THE VILLAGE OF MONTGOMERY,

Defendants.

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PLEASE TAKE NOTICE, that the defendants, STEVEN BRESCIA, Mayor of the Village of Montgomery, and LINDA CANTIELLO, ROBERT "RABBIT" KIERNAN, DARLENE ANDOLSEK, and JOANN SCHEELS, Constituting the Trustees of the Village Board of the Village of Montgomery, Lt. JERRY LOMANGINO of the Village of Montgomery Police Department, and THE VILLAGE OF MONTGOMERY, hereby appear in the above-entitled action, and that the undersigned have been retained as attorneys for said defendants.

Dated: Elmsford, New York  
February 1, 2008



Michael V. Longo  
MIRANDA SOKOLOFF SAMBURSKY  
SLONE VERVENIOTIS, LLP  
Attorneys for Defendants

STEVEN BRESCIA, Mayor of the Village of Montgomery, and LINDA CANTIELLO, ROBERT "RABBIT" KIERNAN, DARLENE ANDOLSEK, and JOANN SCHEELS, Constituting the Trustees of the

Village Board of the Village of  
Montgomery, Lt. JERRY LOMANGINO of  
the Village of Montgomery Police  
Department, and THE VILLAGE OF  
MONTGOMERY  
570 Taxter Road, Suite 561  
Elmsford, NY 10523  
(914) 345-6510  
File No.: 08-032

To: Edward J. Carroll, Esq.  
Attorney for Plaintiff  
2733 Route 209  
Kingston, New York 12401  
(845) 338-5977

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

JOHN J. BYRNES, JR.,

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- against -

STEVEN BRESCIA, Mayor of the Village of Montgomery, and LINDA CANTIELLO, ROBERT "RABBIT" KIERNAN, DARLENE ANDOLSEK, and JOANN SCHEELS, Constituting the Trustees of the Village Board of the Village of Montgomery, Lt. JERRY LOMANGINO of the Village of Montgomery Police Department, and THE VILLAGE OF MONTGOMERY,

Defendants

STATE OF NEW YORK )  
 )ss.:  
COUNTY OF WESTCHESTER )

X

**AFFIDAVIT OF  
SERVICE**

Index No.: 08 CV 0086

**ANDREA BATTIS**, being duly sworn, deposes and says that she is over the age of 18 years, that she is not a party to the above-entitled action, and that on February 1, 2008 she served the within NOTICE OF APPEARANCE upon the following attorney(s), in the following place(s) and in the following manner:

Edward J. Carroll, Esq.  
Attorney for Plaintiff  
2733 Route 209  
Kingston, New York 12401

the attorneys for the respective party(ies) in this action, at the above address(es) designated by said attorney(s) for that purpose by depositing the papers, enclosed in a properly addressed wrapper into the custody of an overnight delivery service for overnight delivery, prior to the latest time designated by the overnight delivery service for overnight delivery, addressed to the above address(es).

  
ANDREA BATTIS

Sworn to before me  
February 1, 2008

  
NOTARY PUBLIC

Richard S. Sklarin  
Notary Public, State of New York  
No. 02SK5054676  
Qualified in Westchester County  
Commission Expires January 22, 2010